



# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/754,073	01/03/2001	Alan James Meier	PIP5740

## CONFIRMATION NO. 4730

22430  
YOUNG LAW FIRM  
A PROFESSIONAL CORPORATION  
4370 ALPINE ROAD SUITE 106  
PORTOLA VALLEY, CA 94028

## FORMALITIES LETTER



\*OC000000005795394\*

Date Mailed: 02/23/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

### FILED UNDER 37 CFR 1.53(b)

#### *Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$564.
  - \$54 for 3 total claims over 20.
  - \$240 for 3 independent claims over 3 .
  - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1404.**

*A copy of this notice **MUST** be returned with the reply*

*R13*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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120 135

127 135

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05/11/2001 TRAM1

FC:201

FC:202

FC:203

FC:204

FC:205

088885

*Sector \$*

PATENT



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

MAY 07 2001

In re application of: MEIER, Alan James et al.

Attorney Docket No.: PIP5740

Application No.: 09/754,073

Examiner: To Be Assigned.

Filed: January 3, 2001

Group: 2152

Title: MESSAGING SYSTEM

CERTIFICATE OF MAIL

I hereby certify that the within document(s) is/are being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on May 2, 2001.

Signature

Printed Name

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Assistant Commissioner of Patents  
Washington DC 20231  
Attn. BOX MISSING PARTS

Dear Sir:

Responsive to the Notice To File Missing Parts Of Nonprovisional Application mailed February 23, 2001, kindly find the following items enclosed herewith:

- (1)  Copy of Notice to File Missing Parts Of Nonprovisional Application (1 page);
- (2)  Form PTO-2038 Authorizing PTO to charge \$757.00 (\$355 Surcharge, 37 CFR 1.27; \$27 for 3 total claims over 20; \$120 for 3 independent claims over 3; \$135 for multiple dependent claims; \$65 late filing fee or oath surcharge 37 CFR 1.16 (e) (Small Entity) \$55 for extension for reply within first month (1 page);
- (3)  Form PTO/SB/17 (1 page);
- (4)  Copy of Form PTO/SB/05 dated January 3, 2001, Applicant claiming small-entity status (1 page);
- (5)  Executed Combined Declaration and Power of Attorney (3 pages);
- (6)  Return postcard.

Respectfully submitted,

Alan W. Young

Reg. No. 37,970

YOUNG LAW FIRM, P.C.

4370 Alpine Road, Suite 106

Portola Valley, CA 94028

Tel: (650) 851-7210

Fax: (650) 851-7232

Date: May 2, 2001



PTO/SB/17 (09-00)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT	(\\$) 757.00
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## Complete if Known

Application Number	09/754,073
Filing Date	January 3, 2001
First Named Inventor	MEIER, Alan James
Examiner Name	To Be Assigned.
Group Art Unit	2152
Attorney Docket No.	PIP5740

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

Deposit Account Name

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355.00
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
<b>SUBTOTAL (1)</b>				<b>(\\$) 355.00</b>	

### 2. EXTRA CLAIM FEES

Total Claims	23	-20** =	3	X	9	=	27.00	Extra Claims	Fee from below	Fee Paid
Independent Claims	6	- 3** =	3	X	40	=	120.00			
Multiple Dependent					135	=	135.00			

### Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description			
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>				<b>(\\$) 282.00</b>	

\* or number previously paid, if greater; For Reissues, see above

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	55.00
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					
Reduced by Basic Filing Fee Paid				<b>SUBTOTAL (3)</b>	<b>(\\$) 120.00</b>

SUBMITTED BY						Complete if applicable
Name (Print/Type)	Alan W. Young	Registration No. (Attorney/Agent)	37,970	Telephone	650-851-7210	
Signature				Date	May 2, 2001	00000004 09754073

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



**COPY**

PTO/SB/05 (11-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Please type a plus sign (+) inside this box → +

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## UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	PIP5740
First Inventor	MEIER, Alan James
Title	MESSAGING SYSTEM
Express Mail Label No.	EL 741 844 116 US

### APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 118]  
*(preferred arrangement set forth below)*
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure

- 1 Cover Sheet
4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 4 ]
5. Oath or Declaration [ Total Pages ]  
 a.  Newly executed (original or copy)  
 b.  Copy from a prior application (37 CFR 1.63 (d))  
*(for continuation/divisional with Box 18 completed)*

i.  **DELETION OF INVENTOR(S)**  
       Signed statement attached deleting inventor(s)  
       named in the prior application, see 37 CFR  
       1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statements verifying identity of above copies

### ACCOMPANYING APPLICATION PARTS

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of  
*(when there is an assignee)*  Attorney
11.  English Translation Document *(if applicable)*
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS  
Citations
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17.  Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_ / \_\_\_\_\_

Prior application information: Examiner \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

### 19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label			or	<input checked="" type="checkbox"/> Correspondence address below
Name	Alan W. Young 22430 Young Law Firm, P.C. <small>PATENT TRADEMARK OFFICE</small> 4370 Alpine Road, Suite 106			
Address	Portola Valley	State	CA	Zip Code 94028
City	Telephone	650-851-7210	Fax	650-851-7232
Name (Print/Type)	Alan W. Young		Registration No. (Attorney/Agent)	37,970
Signature			Date	JAN. 3, 2001

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